

blood, kidney infection, high blood pressure, capillary fragility, impaired circulation, stomach ulcers, varicose veins, anemia, excessive mucous in sinuses, ears, and membranes, and arthritis; and (*Bey Vita yeast tablets*) poor digestion, obesity, duodenal ulcers, intestinal ulcers, impaired nerves and impaired muscles.

The *Bey Proto-X*, *Ro-Qee-Jel capsules*, *Bey Vita RG Soya* and *Lecithin*, were alleged also to be misbranded under the provisions of the law applicable to foods as reported in notices of judgment on foods.

DISPOSITION: 3-27-61. Default—destruction.

6588. Amphetamine tablets and capsules. (F.D.C. No. 45049. S. Nos. 74-641/54 R.)

QUANTITY: Approximately 122,000 tablets and capsules of amphetamine in the possession of Emmett D. Nalley, Washington, Ga.

SHIPPED: On unknown dates, from outside the State of Georgia.

LIBELED: 2-23-61, S. Dist. Ga.

CHARGE: 502(f) (1)—while held for sale, the labeling of the articles failed to bear adequate directions for use and the articles were not exempt from such requirement since the articles were in the possession of a person who was not regularly engaged in the manufacture, transportation, storage, or distribution of prescription drugs, and since the articles were not to be dispensed upon prescription.

DISPOSITION: No claimant having appeared, the court, on 4-13-61, entered a decree of condemnation, and upon being advised that the articles may be used as evidence in a criminal proceeding before the court, ordered that the marshal retain the articles in his possession until otherwise directed.

6589. Cough syrup. (F.D.C. No. 44384. S. No. 36-521 R.)

QUANTITY: 2 50-gal. bbls. and 114 cases, each containing 36 3-oz. btl., at Nanticoke, Pa., in possession of Mrs. Chesterine M. Wolfe.

SHIPPED: 1-21-59 and 4-17-59, from Norwich, N.Y.

LABEL IN PART: (Bbl.) "Cough Syrup * * * Alcohol 6% Active Ingredients in each fluid ounce: Chloroform 2 minims White Pine Bark, extractive from 13 grs. White Cherry Bark 30 grs. Squill, extractive from .8 grs. Oil Pine Tar .128 grs. Ammonium Chloride 8.0 grs. Sodium Chloride 12.0 grs. Malt Syrup 6.0 grs. Menthol .08 grs." and (btl.) "Austins Cough Healer With Wild Cherry and Menthol * * * This Product contains—White Pine—Tar—Wild Cherry, Menthol and other drugs * * * T. J. Wolfe, Plymouth, Pa."

RESULTS OF INVESTIGATION: The article in the bottles was repacked from the above-described bulk stock by Thomas J. Wolfe (deceased), Plymouth, Pa.

LIBELED: 3-24-60, M. Dist. Pa.

CHARGE: 502(a)—while held for sale, the labeling of the article (bulk and repacked), namely, the repack bottle label, bore the name "Cough Healer" and contained statements which represented and suggested that the article was an adequate and effective treatment for healing coughs of all types, including long standing and troublesome coughs, hoarseness, colds, bronchitis, bronchial asthma, whooping cough, and croup, which name and statements were false and misleading since the article was not effective for such conditions and purposes; 502(e) (2)—the label of the repacked article failed to

bear the common or usual name of each active ingredient; and 502(f) (2)—the labeling of the repacked article failed to warn that persons with a high fever or persistent cough should not use such article unless directed by a physician.

DISPOSITION: 5-24-61. Consent—claimed by Mrs. Chesterine M. Wolfe, and relabeled.

6590. Headache powders. (F.D.C. No. 45262. S. No. 1-687 R.)

QUANTITY: 2 drums containing a total of 190 lbs. of acetanilid; 3 drums containing a total of 750 lbs. of aspirin; 2 drums containing a total of 170 lbs. of caffeine anhydrous powder; 2 drums containing a total of 800 lbs. of potassium bromide; and 8,640 10¢ pkgs., 2,800 5¢ pkgs., 2,800 samples of the 10¢-size pkgs., and 28,900 samples of the 5¢-size pkgs., of headache powders, at Atlanta, Ga., in possession of B. B. Headache Powder Co..

SHIPPED: Between 12-19-58 and 1-14-60, from New York, N.Y.

LABEL IN PART: (Drum) "NYQ 100-POUNDS ACETANILID N.F. POWDER"; "250-Pounds ACID ACETYLSALICYLIC ASPIRIN U.S.P. 80 Mesh Powder"; "NYQ 100-Pounds CAFFEINE U.S.P. ANHYDROUS POWDER"; and "NYQ 400 pounds POTASSIUM BROMIDE N.F. GRANULAR"; (pkgs.) "4 Doses 10¢ B-B Simple Headaches Simple Neuralgia Each powder contains 2½ grains acetanilid and 7½ grains potassium bromide combined with aspirin and caffeine for the relief of the discomfort of Pain due to Simple Headache and Neuralgia, Head Colds, Minor Muscular Pains, and as a sedative in Simple Nervousness * * * Prepared by B.B. Headache Powder Co. Atlanta, Ga."; "4 Doses 16 Grs. Each * * * B-B Free Sample Not For Sale 10¢ * * * B.B. Headache Powder Co."; "2 doses 5¢ B-B * * * B.B. Headache Powder Co." and "5¢ Quick Relief of Pain and Discomfort * * * Two Powders 16 Grs. Each B-B Free Sample Not for Sale * * * B-B Products Company."

ACCOMPANYING LABELING: 232,000 "5¢" package labels, 318,000 "10¢" package labels, and an unknown number of display cartons reading in part "This carton contains 3 Dozen Packages of 'B-B' Headache Powders 10¢ Sizes B-B Quick Relief For Headaches and Neuralgia * * * Prepared by B-B Products Company Atlanta, Ga. * * * Quick Relief For Minor Muscular Aches and Pains."

RESULTS OF INVESTIGATION: The powders in the 5¢ and 10¢ packages and in the sample packages were manufactured by the B. B. Headache Powder Co. from the above mentioned raw materials.

LIBELED: 12-2-60, N. Dist. Ga.

CHARGE: 502(f) (2)—while held for sale, the labeling of the article failed to bear a warning that the article should be kept out of the reach of children to avoid accidental poisoning, and that overdosage or continued use may result in serious blood disturbances.

DISPOSITION: 5-26-61. Consent—claimed by B. B. Headache Powder Co. of Georgia, Inc., and relabeled.

6591. Various drugs. (F.D.C. No. 44904. S. Nos. 1-562 R, et al.)

QUANTITY: Unknown quantities of *tablets and capsules of secobarbital sodium, phenobarbital, and meprobamate*, and other unidentified prescription drugs, at Rochelle, Ga., in possession of Ronald G. Shawver.

SHIPPED: On unknown dates, from outside the State of Georgia.